

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER MCHALE,

Plaintiff,

v.

NANCY A. BERRYHILL,¹ Acting
Commissioner of the Social Security
Administration

Defendant.

CIVIL ACTION
No. 16-3783

ORDER

AND NOW, this 31st day of July, 2017, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Timothy R. Rice, (ECF No. 14), to which no party has objected, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**;²
2. The Plaintiff's request for review is **GRANTED**; and
3. The matter is **REMANDED** to the Commissioner for further review consistent with the Report and Recommendation.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ Nancy A. Berryhill became the Acting Commissioner for Social Security on January 23, 2017. Pursuant to Federal Rule of Civil Procedure 25(d), Ms. Berryhill should be substituted for the former Acting Commissioner, Carolyn Colvin, as the defendant in this action.

² When no objection is made to a Report and Recommendation, the Court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b) advisory committee notes; *see also Oldrati v. Apfel*, 33 F. Supp. 2d 397, 399 (E.D. Pa. 1998). No clear error appears on the face of the record and the Court accordingly accepts Judge Rice's recommendation.